

Assembly Bill No. 1565

CHAPTER 306

An act to relating to local agency costs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 18, 1997. Filed with
Secretary of State August 18, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1565, Committee on Budget. Local costs: claims.

Existing law requires the governing board of each school district to adopt a policy authorizing teachers to provide that the parent or guardian of a pupil, who has been suspended by a teacher for specified reasons, attend a portion of a schoolday in his or her child's classroom.

Existing law provides interagency responsibilities for providing services to children with exceptional needs, including requiring counties to provide mental health services when required in a pupil's individualized education program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would appropriate \$940,000 from the General Fund to the Controller for the payment of claims from school districts and county offices of education seeking reimbursement for state-mandated local costs incurred pursuant to the provision requiring the governing board of each school district to adopt a policy authorizing teachers to provide that a parent or guardian of a pupil, who has been suspended by a teacher, attend a portion of a schoolday in his or her child's classroom.

This bill would appropriate \$8,443,000 from the General Fund to the Controller for the payment of claims from counties seeking reimbursement of state-mandated local costs incurred pursuant to the provisions pertaining to interagency responsibilities for providing services to children with exceptional needs.

This bill would appropriate \$7,400,000 from the General Fund to the Controller for payment of claims from school districts and county offices of education seeking reimbursement of the state-mandated

local costs incurred pursuant to provisions pertaining to annual parent notification.

This bill would appropriate \$3,488,000 from the General Fund to the Controller for the payment of claims from school districts and county offices of education seeking reimbursement of state-mandated local costs incurred pursuant to provisions pertaining to interdistrict pupil transfers.

This bill would appropriate \$60,179,223 from the General Fund to the Controller for the payment of claims, as scheduled, for reimbursement of state-mandated local costs for various other programs and responsibilities performed by local government agencies.

The bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. (a) The sum of nine hundred forty thousand dollars (\$940,000) is hereby appropriated from the General Fund to the Controller for the payment of claims from school districts and county offices of education seeking reimbursement of state-mandated local costs incurred pursuant to Section 48900.1 of the Education Code, Chapter 1284, Statutes of 1988, and Chapter 213, Statutes of 1989 (Pupil Suspensions: Parent Classroom Visits), for costs incurred from July 1, 1993, to June 30, 1998, inclusive.

(b) For the purpose of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by this section shall be deemed to be “General Fund revenues appropriated to school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 1996–97 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 1996–97 fiscal year.

SEC. 2. The sum of eight million four hundred thirty-three thousand dollars (\$8,433,000) is hereby appropriated from the General Fund to the Controller for the payment of claims from counties seeking reimbursement of state-mandated local costs incurred pursuant to Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code, Chapter 1747 of the Statutes of 1984, and Chapter 1274 of the Statutes of 1985 (Services to Handicapped Children), for costs incurred from July 1, 1994, to June 30, 1998, inclusive.

SEC. 3. (a) The sum of seven million four hundred thousand dollars (\$7,400,000) is hereby appropriated from the General Fund

to the Controller for the payment of claims from school districts and county offices of education seeking reimbursement of state-mandated local costs incurred pursuant to Sections 35291, 48900.1, and 58501, and subdivisions (a), (b), (e), (f), and (g) of Section 48980, of the Education Code, as added and amended by Chapter 448 of the Statutes of 1975, Chapter 36 of the Statutes of 1977, Chapter 965 of the Statutes of 1977, Chapter 236 of the Statutes of 1979, Chapter 975 of the Statutes of 1980, Chapter 469 of the Statutes of 1981, Chapter 459 of the Statutes of 1985, Chapter 87 of the Statutes of 1986, Chapter 97 of the Statutes of 1986, Chapter 1452 of the Statutes of 1987, Chapter 65 of the Statutes of 1988, Chapter 1284 of the Statutes of 1988, Chapter 10 of the Statutes of 1990, Chapter 403 of the Statutes of 1990, Chapter 906 of the Statutes of 1992, and Chapter 1296 of the Statutes of 1993 (Annual Parent Notification), for costs incurred from July 1, 1992, to June 30, 1998, inclusive.

(b) For the purpose of making the computations required by Section 8 of Article XVI of the California Constitution, of the appropriation made by this section the sum of four million five hundred twenty thousand dollars (\$4,520,000) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 1996–97 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 1996–97 fiscal year.

(c) For the purpose of making the computations required by Section 8 of Article XVI of the California Constitution, of the appropriation made by this section the sum of two million eight hundred eighty thousand dollars (\$2,880,000) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 1997–98 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 1997–98 fiscal year.

SEC. 4. (a) The sum of three million four hundred eighty-eight thousand dollars (\$3,488,000) is hereby appropriated from the General Fund to the Controller for the payment of claims from school districts and county offices of education seeking reimbursement of state-mandated costs incurred pursuant to Sections 48209.1, 48209.7, 48209.9, 48209.10, 48209.13, and 48209.14 of the Education Code, as added and amended by Chapter 160 of the Statutes of 1993 and Chapter 1262 of the Statutes of 1994 (School District of Choice: Transfers and Appeals), for costs incurred from January 1, 1994, to June 30, 1998, inclusive.

(b) For the purpose of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by this section shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 1996–97 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 1996–97 fiscal year.

SEC. 5. The sum of sixty million one hundred seventy-nine thousand two hundred twenty-three dollars (\$60,179,223) is hereby appropriated from the General Fund to the Controller for the payment of claims for reimbursement of state-mandated local costs, according to the following schedule:

(a) The sum of twenty million three hundred sixty thousand eight hundred twenty-five dollars (\$20,360,825) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1994–95 to 1996–97 fiscal years, inclusive, pursuant to Chapter 1399 of the Statutes of 1976 (Custody of Minors/Child Abduction and Recovery).

(b) The sum of one hundred twenty-six thousand four hundred fifty-seven dollars (\$126,457) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1996–97 fiscal year pursuant to Chapter 337 of the Statutes of 1990 (Stolen Vehicle Notification).

(c) The sum of six hundred forty-nine thousand six hundred six dollars (\$649,606) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1996–97 fiscal year pursuant to Chapter 1105 of the Statutes of 1992 (Misdemeanors: Booking and Fingerprinting).

(d) The sum of six million three hundred ten thousand eight hundred ninety-six dollars (\$6,310,896) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1994–95 to 1996–97 fiscal years, inclusive, pursuant to Chapter 77 of the Statutes of 1978 (Absentee Ballots).

(e) The sum of eleven million three hundred thirty-five thousand three hundred forty-nine dollars (\$11,335,349) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1994–95 to 1996–97 fiscal years, inclusive, pursuant to Chapter 1490 of the Statutes of 1984 (Business Tax Reporting Requirements).

(f) The sum of two hundred eighty-five thousand eighty-nine dollars (\$285,089) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1996–97 fiscal year, pursuant to Chapter 268 of the Statutes of 1991 (SIDS Contacts by Local Health Officers).

(g) The sum of forty-six thousand two hundred thirty-seven dollars (\$46,237) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1995–96 and 1996–97 fiscal years, pursuant to Chapter 1304 of the Statutes of 1980 (Conservatorships).

(h) The sum of ten thousand six hundred fifty-four dollars (\$10,654) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1994–95 and 1995–96 fiscal years, pursuant to Chapter 644 of the Statutes of 1980 (Judicial Proceeding for Mentally Ill).

(i) The sum of thirteen thousand seven hundred sixty-four dollars (\$13,764) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1994–95 and 1995–96 fiscal years, pursuant to Chapter 1036 of the Statutes of 1978 (Mentally Disordered Sex Offenders Recommendations).

(j) The sum of ten million seven hundred twelve thousand nine hundred fifty dollars (\$10,712,950) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1994–95 and 1995–96 fiscal years, pursuant to Chapter 1747 of the Statutes of 1984 (Services to Handicapped Children).

(k) The sum of four million two hundred ten thousand eight hundred eighty-four dollars (\$4,210,884) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1994–95 and 1995–96 fiscal years, pursuant to Chapter 913 of the Statutes of 1979 (Domestic Violence Diversion).

(l) The sum of six thousand five hundred twenty-four dollars (\$6,524) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1996–97 fiscal year pursuant to Chapter 221 of the Statutes of 1993 (Domestic Violence Treatment Program Approvals).

(m) The sum of twenty-three thousand six hundred fifty-one dollars (\$23,651) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1995–96 fiscal year pursuant to Chapter 1568 of the Statutes of 1982 (Firefighters' Cancer Presumption).

(n) The sum of one million six hundred thirty-six thousand nine hundred ninety dollars (\$1,636,990) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1994–95 to 1996–97 fiscal years, inclusive, pursuant to Chapter 486 of the Statutes of 1975 (Test Claims and Reimbursement Claims).

(o) The sum of four million three hundred eighty-six thousand five hundred eighty-two dollars (\$4,386,582) to cover deficiencies in prior appropriations for reimbursement of costs incurred in the 1994–95 to 1996–97 fiscal years, inclusive, pursuant to Chapter 641 of the Statutes of 1986 (Open Meetings Act Notices).

(p) The sum of sixty-two thousand seven hundred sixty-five dollars (\$62,765) to cover deficiencies in prior appropriations for

reimbursement of costs incurred in the 1996–97 fiscal year pursuant to Chapter 999 of the Statutes of 1991 (Rape Victim Counseling Center Notices).

SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to settle claims by school districts and local government agencies against the state for mandated costs associated with implementing designated provisions of law, and to end hardship to those school districts and local government agencies, it is necessary for this act to take effect immediately.

